

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
NOEL RAMIREZ, D.V.M. § MEDICAL EXAMINERS

AGREED ORDER

On this day the Texas Board of Veterinary Medical Examiners (“Board”) considered the matter of the license of Noel Ramirez, D.V.M. (“Respondent”).

Respondent, without admitting the truth of the Findings of Fact and Conclusions of Law set out in this Order, waived notice and hearing and agreed to the entry of this Order. Accordingly, the Board makes the following Findings of Fact and Conclusions of Law and enters this Order as set forth below.

FINDINGS OF FACT

1. Respondent, Noel Ramirez, D.V.M., of Mission, Texas, holds Texas veterinary license 12813.
2. On March 23, 2018, the Texas Board of Veterinary Medical Examiners (“Board”) received a complaint from a former co-worker of the Respondent at The Country Vet in Harlingen, Texas (“the practice”). The Complainant stated that when employed at the practice, she observed the Respondent leave for lunch and return smelling of marijuana and alcohol. She believes that Respondent was habitually under the influence of narcotics and alcohol while practicing.
3. On March 26, 2018, Board Investigator Michael Campos spoke with a former employee of the practice who worked with Respondent. The former employee stated that she observed the Respondent return from lunch smelling of marijuana and alcohol and noted empty cocaine bags in the bathroom.
4. Between April 30, 2019 and June 12, 2019, Investigator Campos conducted a series of interviews with Respondent’s former co-workers and colleagues. The colleagues attested that Respondent had been observed under the influence of narcotics and alcohol at work. One stated that after suspecting that Respondent was under the influence, the supervising veterinarian moved all of the practice’s-controlled substances to a new safe and would not give the Respondent access.
5. Investigator Campos interviewed two of the licensed veterinary technicians from the practice. One stated that on at least one occasion the Respondent picked him up and was

smoking marijuana cigar and drinking alcohol in his vehicle. The other technician stated that Respondent smelled of marijuana at work.

6. On June 12, 2019, Investigator Campos interviewed the Respondent, who appeared agitated and stated that he would continue to smoke marijuana.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Chapter 801, the Board has jurisdiction over this matter. Respondent is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board's Rules. Respondent received notice as required by law.
2. Respondent has violated Board Rule 573.4, Adherence to Law, of the Board's Rules of Professional Conduct.
3. Respondent has violated Section 801.402(6) of the Veterinary Licensing Act, Texas Occupations Code, prohibiting violations of the Board's Rules of Professional Conduct.
4. Respondent is subject to disciplinary action under Texas Occupations Code, Sections 801.401(a), and 801.451.
5. Pursuant to Board Rule 575.25, Respondent's violations are Class A violations, and Respondent is subject to disciplinary action under that Rule.

TERMS OF ORDER

Now, therefore, the Board and Respondent agree to the following terms:

1. SUSPENSION AND PROBATION
 - a. Respondent's license shall be suspended for one year, effective as soon as this order is approved by the Board, with said suspension stayed and Respondent placed on probation for the entire period of the suspension.
 - i. During the period of probation, the following terms shall apply:
 1. Respondent shall submit to evaluation by the Board's Peer Assistance Program (PAP). Respondent shall submit to this evaluation within 30 days of the date the Board approves the Order. If recommended by the PAP, the Respondent shall enter into a contract with the PAP. Respondent shall enter into this contract and submit documentation of the contract to the Board within 30 days of the date PAP recommends participation. Documentation shall be

submitted directly to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Austin, Texas 78701.

2. Respondent shall notify all present and prospective employers of this Order. Respondent shall cause employers to provide written acknowledgement to the Board that they have read and understood the Order. This acknowledgement must be provided within 30 days of the effective date of the Order for present employers, or within 15 days of undertaking new employment. This acknowledgment shall be submitted to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.
- b. If Respondent does not timely and satisfactorily comply with any of the terms of this Order, the Board may rescind Respondent's probation pursuant to Board Rule 575.36.

2. ADHERENCE TO THE LAW AND BOARD RULES

- a. Respondent shall abide by the Board's Rules of Professional Conduct, the Texas Veterinary Licensing Act, and the laws of the State of Texas and the United States.
- b. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Order.
- c. Failure by Respondent to comply with the terms of this Order, or with any other provisions of the Veterinary Licensing Act or the Board Rules, may result in further disciplinary action.

The effective date of the terms of this Order shall be the date it is adopted by the Board, unless stated otherwise.

Certification and signature page follows.

Received

MAY 04 2020

Texas State Board of
Veterinary Medical Examiners

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order and understand the Findings of Fact and Conclusions of law set forth herein. I neither admit nor deny the violation(s) herein. I understand that this Order contains the entire agreement, and there is no other agreement of any kind. I waive the right to any further proceedings, including a formal hearing, and the right to seek judicial review of this Order.

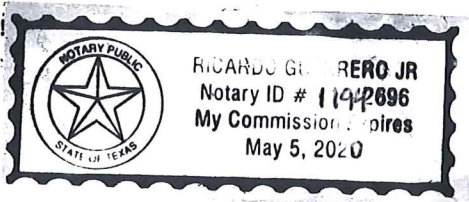
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions of the Order in a timely manner. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and appropriate disciplinary action as a result of my noncompliance.

Signed this 29th day of April, 2020.

Noel Ramirez, D.V.M.
Noel Ramirez, D.V.M.

Sworn and subscribed before me this 29th day of April, 2020.

SEAL:



Ricardo G. Rero Jr.
Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 23rd day of September, 2020.

Jessica Quillivan, DVM
Jessica Quillivan, D.V.M., Presiding Board Member